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SUBJECT: CONGRESSMAN MCGOVERN VISITS ECUADOR

¶1. (SBU) SUMMARY: Congressman James McGovern traveled in Ecuador from November 13 to 18, to visit sites at issue in the Chevron-Texaco oil pollution case, and Ecuadorian border communities affected by refugees and other aspects of the violence in Colombia. Congressman McGovern met with Government of Ecuador (GOE) Ministers and President Correa, and while taking no position on the unresolved Chevron-Texaco suit, expressed concern about the humanitarian, health and environmental impacts of oil contamination on local affected communities and the humanitarian situation on the border, and pledged to draw greater attention to the plight of refugees. Foreign Minister Salvador and Vice Defense Minister Miguel Carvajal asked McGovern for the U.S. Congress to investigate the March 1 Colombian attack against a FARC camp in Angostura, along the northern border of Ecuador, which McGovern did not agree to. (END SUMMARY)

COLOMBIAN REFUGEE ISSUES

¶2. (SBU) Congressman McGovern met with Ecuadorian and Colombian residents of the border communities of Baranca Bermeja and Puerto Mestanza, and with Colombian refugees in Lago Agrio, in Sucumbios province. The delegation heard repeated tales of displacement and abuse in Colombia and discrimination in Ecuador. Border residents criticized Plan Colombia, particularly U.S. military support to Colombia and aerial spraying. These same border residents also frequently condemned the U.S. military presence in the Forward Operating Location (FOL) in Manta, Ecuador. NGO briefings mixed comments on the humanitarian situation with issues such as aerial spraying with glyphosate, alleged participation of aircraft from the FOL in military actions on the Colombian border (especially the March 1 attack), and alleged infiltration of the Ecuadorian security services by the USG.

¶3. (SBU) The leader of a Jesuit refugee association condemned USG infrastructure assistance as "part of the problem," because assistance is channeled through local governments that the refugees say actively discriminate against them. Representatives from the UN High Commission on Refugees (UNHCR), International Organization for Migration (IOM), and the World Food Program (WFP) briefed the delegation on their analysis of the refugee situation, their efforts to register and provide protections for refugees, and work to construct municipal infrastructure. (Embassy Note: UNHCR estimates that of 250,000 Colombians in Ecuador, 130,000 are in need of international protection, but only 20,000 are registered. The USG provides significant funding for refugee programs and assistance in border towns. USAID committed to convene a meeting of local and national aid agencies in Lago Agrio in December to better understand refugees' needs and to discuss what assistance is available in the area. End Note)

14. (SBU) Representative McGovern responded by stating his respect and sympathy for the speakers, his long-standing opposition to Plan Colombia, and his intention to expand understanding of the refugee issue in the USG and international NGO community through U.S. Congressional hearings and other measures.

CHEVRON-TEXACO SITE VISITS

15. (SBU) Sites visited in relation to the Chevron case included six oil well sites, the re-located Cofan indigenous community of Dureno, Sucumbios province, and a number of communities in the Sucumbios and Orellana provinces claiming to have suffered from contamination. Congressman McGovern expressed concern for the cancer, skin disease, crop failures, and animal deaths attributed to oil pollution. While not commenting on the merits of the court case, he later stated in several ministerial meetings in Quito and to the press that there was a moral issue as well as a legal issue at stake, and that because Chevron was a U.S. company, its behavior reflected badly on the U.S. He expressed his view that any court resolution was many years away, and said he hoped to facilitate a settlement, possibly based on a clean-up model agreed to by the USG and GOE, or other third parties.

16. Solicitor General Diego Garcia Carrion initially rejected entering into negotiations that could lead to the state oil company, PetroEcuador, being held "responsible" for damages or clean-up costs. Toward the end of a half-hour meeting, Garcia allowed that the GOE could enter negotiations with no preconditions. Likewise, the Chevron-Texaco representative in Ecuador, Jaime Varela-Walker, did not acknowledge that the company had any motive to settle, but agreed to share the idea with his superiors.

GOE MEETINGS

17. (SBU) Representative McGovern held meetings with President Correa and the Ministers of Foreign Affairs, Defense, Justice, and Internal and External Security on November 12. In his private meetings and during a working lunch, GOE officials expressed appreciation for McGovern's praise for Ecuador's "incredible job responding to the largest human crisis in the Western Hemisphere," his commitment to bring more resources to the refugee problem, and his condemnation of Plan Colombia. Both McGovern and GOE officials expressed hope for new policies from President-elect Obama. McGovern repeatedly praised the Ecuadorian military (who had briefed him in Coca, Orellana province), and lamented that the Colombian military was not containing the conflict on its side of the border.

18. (SBU) McGovern's official calls began with a meeting with Foreign Minister Maria Isabel Salvador. FM Salvador expressed her hope that the election of Barack Obama would mean better relations between the U.S. and Latin America, which was living through a "new era," and had "important ideas." McGovern said he looked forward to good relations between Ecuador and the U.S., and that he wanted to be a friend of Ecuador's in Congress.

19. (SBU) McGovern recounted his trip to the Colombian border, where he saw the refugee crisis first hand. He said that few in the Congress were aware of the problem. Salvador noted that the refugees were one of the GOE's most important issues. She said that although their efforts were recently recognized by the UN High Commissioner in Geneva, more help was needed.

110. (SBU) McGovern then turned to the subject of contaminated oil sites linked to Chevron-Texaco. Noting the terrible situation of the people in affected communities, he said he hoped to work with the GOE on the problem. He said that safe potable water had been provided for humans, but that animals were still drinking contaminated water. He said that in town hall meetings he had asked how many people had cancer, or had cancer in their families, and that everyone raised their hands. Children had terrible rashes. He commented that PetroEcuador was attempting remediation, but was using inappropriate techniques. He suggested that EPA or USAID could play a role in the remediation, perhaps designing a model clean-up. He explained that he feared that even with a decision in the lawsuit, the loser would appeal and nothing would be done to

correct the situation for many years. He added that perhaps the GOE could have a role if the parties were willing to come together.

¶11. (SBU) FM Salvador noted that the Correa government was the first to have a ministry devoted to human rights (the "Ministry of Justice and Human Rights"), and that the new constitution was based strongly on people's rights, including the rights of people on the Colombian border. McGovern said that everyone he had talked to said that Plan Colombia had messed things up. He said that he was a long-time opponent of Plan Colombia, and that what was needed was community-based development. He said that he opposed fumigation, because drugs would always be provided if there was a lucrative market. He stressed that more development assistance and less military assistance was needed in Colombia, and said that Congress had begun to recognize this priority in last year's budget. Salvador noted that the border was long and porous, and acknowledged that Colombian forces sometimes entered Ecuador, but that before March 1, a security agreement allowed Ecuador and Colombia to discuss and respond to incidents. Now there was virtually no communication after border incidents.

¶12. (SBU) Congressman McGovern asked how the two countries could reopen communications, especially on the border. Salvador replied that the OAS was attempting to mediate, but that progress is slow. She said that statements by the two Presidents were not helping, and that Colombia was not providing requested information, including videos from the March 1 incursion. She said that Colombia needed to recognize the GOE's efforts against terrorism, narcotics, and transnational crime. McGovern responded that he was struck by the complexity of the situation and impressed by GOE efforts to register refugees and integrate them into the local population. The meeting concluded with both Congressman McGovern and FM Salvador reiterating their hope that change brought on by the U.S. elections would contribute to improving many of the issues they had discussed. After the meeting, in a pull-aside, FM Salvador asked Congressman McGovern to consider holding a hearing on the U.S. role in the March 1 incursion. Congressman McGovern told her it was a bad idea.

¶13. (SBU) In his meeting with President Correa, Congressman McGovern praised Ecuador's military and humanitarian actions on the border, condemned Plan Colombia and fumigation, and vowed to try to move to "a negotiated solution, not a military solution." McGovern committed to holding Congressional hearings on the border issues in February ¶2009. He expressed sympathy for people living with oil pollution and doubt that the lawsuit would solve the problem. He expressed an interest in mediating a settlement. He warmly praised Ecuadorian Ambassador Gallegos in Washington.

¶14. (SBU) President Correa's remarks focused on political and security issues with Colombia, the "total failure" of Plan Colombia, and contrasted it to Plan Ecuador, "a plan of peace." The President stressed the importance of roads, schools, and government services in the border region, such as providing identification cards and land tenure registration. He complained that Colombia has only three military detachments along the border, compared to Ecuador's thirty. He asked his staff to look into McGovern's report that PetroEcuador's current clean-up efforts were inadequate or actually harmful. He spoke proudly of raising the environmental budget, and complained that it was poorly utilized. Correa concluded by congratulating Congressman McGovern on "overcoming racism" by electing Obama, and saying that he hoped President Obama would "reverse the contradictions" in U.S. policies.

¶15. (SBU) In his meeting with Congressman McGovern, Minister of Defense Javier Ponce noted that the conflict up north was not Ecuador's making, and asserted that Ecuador would defend its sovereignty but did not want a confrontation. He said the GOE did not have links to the FARC. Asked what he would want in terms of assistance from the U.S., Ponce said he appreciated the installations the U.S. had provided. Regarding intelligence, he said it was not an area of interest for cooperation. On training, he said he was concerned the MOD did not know who the U.S. was training and in what. He noted that they had already asked the U.S. for assistance with monitoring chips for boats (to prevent piracy). Finally, he thought assistance programs, to include the Pacific coast, were important.

¶16. (SBU) McGovern asked what could be done to get Colombia and

Ecuador to re-establish relations. Ponce answered that if the U.S. only supported one side, there would be distrust, and that there should be a balanced relationship. He added that the CIA has to change "its old ways." And last, that the U.S. should deal with Ecuador without conditions on things like the ATPA.

¶17. (SBU) Following the meeting, Principal Under Secretary of Defense Miguel Carvajal also pulled aside Congressman McGovern and asked for assistance from the U.S. Congress in investigating the March 1 killing of FARC leader Raul Reyes by Colombia. McGovern replied that it was important to reestablish trust between our governments, but did not respond to the request.

HODGES